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Via ECF

May 16, 2024

The Honorable Edgardo Ramos, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Neor et al v. Acacia Network, Inc., et al.*
Case No. 22-cv-04814

Dear Judge Ramos:

I am counsel to Plaintiffs and write to request that the Court compel Defendants to: (i) identify the 15 opt-in plaintiffs they intend to depose, and (ii) propose deposition dates for these individuals, by Wednesday May 22, 2024. It has been more than a week since our last conference and Defendants still refuse to provide dates or even the identities of individuals they want to depose.

At the May 8, 2024, conference Your Honor granted Defendants' request to extend the deadline to complete depositions and also ruled on Defendants' request to depose the opt-in plaintiffs. Your Honor Ordered that in addition to the 4 affiants who filed declarations in support of Plaintiffs' Motion, Defendants would be permitted to depose 15 opt-in Plaintiffs with a 3 hour time limit for each. The deadline to complete depositions is now August 8, 2024. By July 25, 2024, the parties are required to update the Court on the status of depositions.

On May 9, 2024, our office proposed dates for these depositions and requested the names of the opt-ins Defendants will seek to depose. On May 10, 2024, we reiterated to Defendants the urgency of scheduling these depositions, given the tight deadline, and also the fact that I will be out of the country and unavailable for most of July. Moreover, we informed Defendants that opt-in plaintiffs would sit in on other depositions, making scheduling the depositions immediately even more urgent.

Defendants advised that the earliest they are available to confer regarding deposition scheduling or other discovery issues is Friday May 24, 2024. In light of my upcoming travel, the number of depositions to be scheduled, and that multiple schedules that need to be coordinated, waiting until the 24th is unreasonable, and will inevitably lead to more delay as Defendants will just request more time to discuss with their clients.

In view of the foregoing, Plaintiffs respectfully request that the Court compel Defendants to: (i) identify the 15 opt-in plaintiffs they intend to depose, and (ii) propose alternate deposition dates and times for these individuals, by Wednesday May 22, 2024. I thank the Court for its attention to this matter.

Respectfully,
/s/ C.K. Lee